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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,910	07/14/2000	Tony Moutaux	Q59816	7028

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EXAMINER	
BROWN, VERNAL U	

ART UNIT	PAPER NUMBER
2635	17

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/616,910	MOUTAUX ET AL.	
	Examiner	Art Unit	
	Vernal U Brown	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-10* is/are rejected.

7)☒ Claim(s) *3* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

This action is responsive to communication filed January 21, 2004.

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection. After further consideration of the appeal brief field, prosecution has been reopened in view of new ground of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 4-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein U.S Patent 5410326 in view of Borgstahl et al. U.S Patent 5909183.

Regarding claims 1-2, Goldstein teaches a telecommunication system (figure 1) comprising a controller (6) to be coupled to a network and comprising a controller-generator for generating at least one device-signal destined for at least one device (col. 17 lines 51-54), a first device (9) coupled to the controller (figure 14) and comprising a first device-receiver for receiving at least one device-signal (col. 9 lines 2-14), a second device (7) coupled to said controller (figure 14) and comprising a second device receiver for receiving at least one device-signal (col. 9 lines 38-45), a remote control unit (5) for sending control signal for controlling the devices (col. 7 lines 5-7). Goldstein also teaches sending an interface to a remote controller from

the controller (6) (col. 12 lines 23-34) but is however silent on what initiates the transfer of the interface, therefore the reference of Borgstahl et al. is relied upon for suggesting the use of a trigger signal to initiate the transfer of the interface to the remote control. Borgstahl et al. in an art related remote control system teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control (col. 16 lines 41-43).

It would have been obvious to one of ordinary skill in the art for the controller to send an interface in response to a trigger-signal to the remote control in Goldstein as evidenced by Borgstahl et al. because Goldstein suggests Goldstein suggests sending an interface to a remote control from the controller and Borgstahl et al. teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control

Regarding claims 4 and 8, Goldstein teaches the remote control device having an identification and only remote control with an identification number is able to communicate with the (cable converter) controller (col. 4 lines 59-65) and each remote has its unique identification (col. 5 lines 1-5) but is however silent on what initiates the transfer of the interface, therefore the reference of Borgstahl et al. is relied upon for suggesting the use of a trigger signal to initiate the transfer of the interface to the remote control. Borgstahl et al. in an art related remote control system teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control (col. 16 lines 41-43).

It would have been obvious to one of ordinary skill in the art for the controller to send an interface in response to a trigger-signal to the remote control in Goldstein as evidenced by Borgstahl et al. because Goldstein suggests Goldstein suggests sending an interface to a remote

control from the controller and Borgstahl et al. teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control

Regarding claim 5, Goldstein teaches the control unit (cable converter) transmitting amendments in the form of operating system, infrared codes, and advertising messages over the bi-directional bus to the remote unit (col. 12 lines 23-27). The Controller therefore inherently has a means of detecting such amendment in order to know when to transmit such information to the remote control.

Regarding claim 6, Goldstein teaches the various interface is received by the remote control and stored in a RAM (col. 12 lines 45-47). The remote control received upgrade information from the cable converter (col. 18 lines 15-22) therefore memory storing the original information is overwritten on the receipt of new programming information by the remote control.

Regarding claim 7, Goldstein teaches a controller (6) coupled to a network and for use in a telecommunication system (figure 14) comprising a controller generator for generating signals destined for the devices (col. 17 lines 51-54), devices receiving signal from the controller (col. 9 lines 2-14), remote control unit (5) sending control signal to the devices (col. 7 lines 5-7). Goldstein also teaches the remote control receiving control information from a controller and storing the code in memory (col. 12 lines 25-33) but is however silent on what initiates the transfer of the interface, therefore the reference of Borgstahl et al. is relied upon for suggesting the use of a trigger signal to initiate the transfer of the interface to the remote control. Borgstahl et al. in an art related remote control system teaches sending an interface to a remote control in

response to a trigger signal for initiating the transfer of the interface to the remote control (col. 16 lines 41-43).

It would have been obvious to one of ordinary skill in the art for the controller to send an interface in response to a trigger-signal to the remote control in Goldstein as evidenced by Borgstahl et al. because Goldstein suggests Goldstein suggests sending an interface to a remote control from the controller and Borgstahl et al. teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control

Regarding claim 9, Goldstein teaches a telecommunication system comprising a controller (6) to be coupled to a network and comprising a controller-generator for generating at least one device-signal destined for at least one device (col. 17 lines 51-54), a first device (9) coupled to said controller and comprising a first device-receiver for receiving at least one device-signal (col. 9 lines 2-14), a second device (7) coupled to said controller and comprising a second device receiver for receiving at least one device-signal (col. 9 lines 38-45), a remote control unit (5) for sending control signal for controlling the devices (col. 7 lines 5-7). Goldstein also teaches the remote control receiving control information from a controller and storing the code in memory (col. 12 lines 25-33) but is however silent on what initiates the transfer of the interface, therefore the reference of Borgstahl et al. is relied upon for suggesting the use of a trigger signal to initiate the transfer of the interface to the remote control. Borgstahl et al. in an art related

remote control system teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control (col. 16 lines 41-43).

It would have been obvious to one of ordinary skill in the art for the controller to send an interface in response to a trigger-signal to the remote control in Goldstein as evidenced by Borgstahl et al. because Goldstein suggests Goldstein suggests sending an interface to a remote control from the controller and Borgstahl et al. teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control

Regarding claim 10, Goldstein teaches a telecommunication system (figure 1) comprising a controller (6) to be coupled to a network and comprising a controller-generator for generating at least one device-signal destined for at least one device (col. 17 lines 51-54), a first device (9) coupled to the controller and comprising a first device-receiver for receiving at least one device-signal (col. 9 lines 2-14), a second device (7) coupled to said controller and comprising a second device receiver for receiving at least one device-signal ((col. 9 lines 38-45)), a remote control unit (5) for sending control signal for controlling the devices (col. 7 lines 5-7). Goldstein also teaches the remote control receiving control information from a controller and storing the code in memory (col. 12 lines 25-33) but is however silent on what initiates the transfer of the interface, therefore the reference of Borgstahl et al. is relied upon for suggesting the use of a trigger signal to initiate the transfer of the interface to the remote control. Borgstahl et al. in an art related remote control system teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control (col. 16 lines 41-43).

It would have been obvious to one of ordinary skill in the art for the controller to send an interface in response to a trigger-signal to the remote control in Goldstein as evidenced by Borgstahl et al. because Goldstein suggests Goldstein suggests sending an interface to a remote control from the controller and Borgstahl et al. teaches sending an interface to a remote control in response to a trigger signal for initiating the transfer of the interface to the remote control

Allowable Subject Matter

Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 3, the prior art of record fail to teach or suggests the trigger signal comprises a user identification code.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U Brown whose telephone number is 703-305-3864. The examiner can normally be reached on M-Th, 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Vernal Brown
April 5, 2004

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600